

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

H

1

HOUSE BILL 32

Short Title: Limited Civil Immunity/Ski Patrol Volunteers. (Public)

Sponsors: Representatives Dulin, Dobson, Presnell, and Jordan (Primary Sponsors).
For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Insurance

February 2, 2017

A BILL TO BE ENTITLED

AN ACT GRANTING LIMITED IMMUNITY FROM CIVIL LIABILITY TO VOLUNTEERS
IN GOOD STANDING WITH, AND CERTIFIED TO RENDER EMERGENCY CARE BY,
THE NATIONAL SKI PATROL SYSTEM, INC.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 90-21.14(a) reads as rewritten:

"(a) Any person, including (i) a volunteer medical or health care provider at a facility of a local health department as defined in G.S. 130A-2 or at a nonprofit community health center or (ii) a volunteer member of a rescue squad, including a volunteer in good standing with, and certified to render emergency care by, the National Ski Patrol System, Inc., who voluntarily and without expectation of compensation renders first aid or emergency health care treatment to a person who is unconscious, ill or injured,

(1) When the reasonably apparent circumstances require prompt decisions and actions in medical or other health care, and

(2) When the necessity of immediate health care treatment is so reasonably apparent that any delay in the rendering of the treatment would seriously worsen the physical condition or endanger the life of the person,

shall not be liable for damages for injuries alleged to have been sustained by the person or for damages for the death of the person alleged to have occurred by reason of an act or omission in the rendering of the treatment unless it is established that the injuries were or the death was caused by gross negligence, wanton conduct or intentional wrongdoing on the part of the person rendering the treatment. For the purposes of this section, the term "compensation" shall not be construed to include complimentary lift tickets, food, lodging, or other gifts provided by any resort, group, or agency as a gratuity to a volunteer member of the National Ski Patrol System, Inc. The immunity conferred in this section also applies to any person who uses an automated external defibrillator (AED) and otherwise meets the requirements of this section."

SECTION 2. This act becomes effective October 1, 2017.

